

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

In the Matter of the Search of

*(Briefly describe the property to be searched
or identify the person by name and address)*IN THE MATTER OF THE SEARCH OF A RED IPHONE WITH A CLEAR
CASE, SERIAL NUMBER UNKNOWN LOCATED AT DEA OKLAHOMA
CITY, 419 NE 38TH TERRACE, OKLAHOMA CITY, OKLAHOMA

Case No. M-23-876 -STE

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment A

Located in the Western District of Oklahoma, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
 21 U.S.C. §841(a)(1)

Offense Description
 Possession with Intent to Distribute and to Distribute Controlled Substances

The application is based on these facts:

See attached Affidavit of DEA Special Agent Tyler Rawdon

☐ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: (_____)) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Tyler Rawdon, Special Agent, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: **Oct 25, 2023**

City and state: Oklahoma City, Oklahoma



Judge's signature

Shon T. Erwin, United States Magistrate Judge

Printed name and title

I, Tyler Rawdon, a Special Agent with the Drug Enforcement Administration (DEA), Oklahoma City, Oklahoma, being duly sworn, depose and state as follows:

1. I am a Special Agent (SA) of the Drug Enforcement Administration (DEA), United States Department of Justice since August 2019. As a Special Agent, I am an investigative law enforcement officer of the United States of America within the meaning of 21 U.S.C. § 878, that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 21 U.S.C. § 878. I have specific training and experience in numerous methods of investigation, including, but not limited to, electronic and visual surveillance, general questioning of witnesses, the use of search warrants, the use of confidential sources/informants, the use of pen registers, and the use of undercover agents. Based on my training and experience relating to the investigation of drug traffickers, and based upon

interviews I have conducted with other officers, defendants, informants, and other witnesses and participants in drug trafficking activity, I am familiar with the ways that drug traffickers conduct their business. My familiarity includes the various means and methods by which drug traffickers import and distribute drugs, their use of cellular telephones, their use of vehicles, and their use of numerical codes and code words to conduct drug transactions. I am also familiar with the ways that drug traffickers conceal, convert, transmit and transport their drug proceeds, including, but not limited to, the use of couriers and vehicles to transport currency and proceeds, and the use of third parties to purchase or hold title to assets.

2. I am familiar with the facts and circumstances of this investigation as a result of my personal participation in the investigation referred to in this affidavit and information summarized in reports I have reviewed. I have compiled information derived from numerous discussions with experienced law enforcement officers, including Special Agents of the DEA and other State and Local law enforcement officers.

3. I am investigating **Luis Ernesto Gomez-Esquivel (GOMEZ)** and **Angel Miguel Urgilez (URGILEZ)** for a violation of 21 U.S.C. § 841(a)(1) (Unlawful Possession with Intent to Distribute of a Controlled Substance). I am submitting this Affidavit in support of a search warrant authorizing a search of three cell phones—(1) a **grey iPhone Pro Max cell phone with a**

clear case, serial number unknown; (2) a red iPhone cell phone with a clear case, serial number unknown; and (3) a purple iPhone cell phone with a clear case, serial number unknown (collectively, the **SUBJECT DEVICES**)—as further described in **Attachment A**, which is incorporated into this Affidavit by reference.¹ The Drug Enforcement Administration (DEA) has custody of the **SUBJECT DEVICES** at 901 NE 122nd Street, Oklahoma City, Oklahoma. I am submitting this Affidavit in support of a search warrant authorizing a search of the **SUBJECT DEVICES** for the items specified in **Attachment B** hereto, wherever they may be found, and to seize all items in **Attachment B** as instrumentalities, fruits, and evidence of the aforementioned crime.

4. Since this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me regarding this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to support the issuance of a search warrant. The information contained in this Affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers and witnesses, and review

¹ The **SUBJECT DEVICES** are locked preventing investigators from obtaining specific identifying phone information such as model, serial number, and/or IMEI number.

of documents and records.

BACKGROUND OF INVESTIGATION

5. On October 18, 2023, at approximately 12:55 a.m., Oklahoma Highway Patrol (OHP) Trooper Tanner Eads stopped a black Hyundai SUV bearing Florida license plate QZRY55 for a traffic violation. The traffic stop was initiated near mile marker 176 eastbound on Interstate 40 in Shawnee, Oklahoma, within the Western District of Oklahoma. **GOMEZ** was identified as the driver of the rental vehicle, while **URGILEZ** was the passenger. The stop led to a search of the vehicle resulting in the seizure of two bundles, heavily wrapped in black electric tape with multiple layers of packaging, located in luggage in the trunk of the car. Within the two bundles were 40 smaller wrapped bundles of blue circular pills marked M-30, which subsequently field tested positive for fentanyl. The weight of the bundles was approximately 10,089.6 gross grams. Based on my training and experience, such a large quantity of fentanyl indicates that the drug was intended for re-distribution.

10. **GOMEZ** and **URGILEZ** were the only occupants in the vehicle. Both were arrested at the scene, and the **SUBJECT DEVICES** were seized from the vehicle at that time.

11. Based upon my training and experience, I am aware that individuals involved in trafficking illegal narcotics often use cell phones to

maintain contact with other co-conspirators, including suppliers, transporters, distributors, and purchasers of illegal narcotics. Such cell phones and their associated memory cards commonly contain electronically stored information which constitutes evidence, fruits, and instrumentalities of drug trafficking offenses including, but not limited to, the phone directory and/or contacts list, calendar, text messages, e-mail messages, call logs, photographs, and videos. Consequently, I submit there is probable cause to believe that the **SUBJECT DEVICES** will likely contain evidence of the drug trafficking activities of **GOMEZ, URGILEZ**, and possible others.

CONCLUSION

12. Based on the above information, there is probable cause to believe that a violation of 21 U.S.C. § 841(a)(1) has occurred, and that evidence, fruits, and instrumentalities of these offenses are located on the **SUBJECT DEVICES**. Therefore, I respectfully request that this Court issue a search warrant for the **SUBJECT DEVICES**, described in **Attachment A**, authorizing the seizure of the items described in **Attachment B**.



TYLER RAWDON
Special Agent
Drug Enforcement Administration

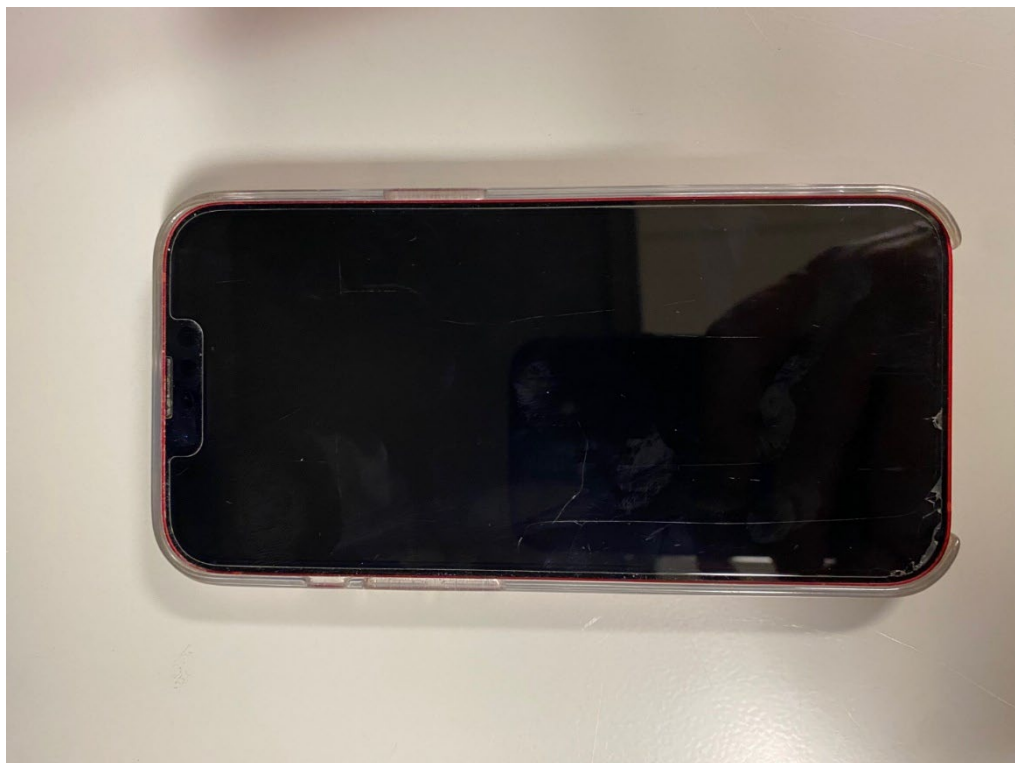
SUBSCRIBED AND SWORN to before me this 25th day of October,

2023.



SHON T. ERWIN
United States Magistrate Judge

(2) A red iPhone with a clear case, serial number unknown.



ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

Electronically stored information including, but not limited to:

- a. Stored communications which are voice recordings/messages, text messages (SMS) and multimedia messages (MMS), emails and attachments, read or unread which relate to and provide evidence of criminal activity described in this affidavit;
- b. Stored communications voice or text based located within downloadable messaging applications or social media applications;
- c. All internet usage history that may reveal evidence of drug trafficking, such as package tracking, internet mail communications, electronic payment receipts, etc.;
- d. Call logs/histories depicting incoming/outgoing numbers dialed to and from the above-described telephone device which relate to and provide evidence of the above described criminal activity and further described in this affidavit;
- e. Internet World Wide Web (WWW) browser files including browser history, browser cache, browser favorites, auto-complete form history and stored passwords;
- f. Contacts, address books and calendars, customer lists and related identifying information such as names, nicknames and/or

monikers within the above-described telephone device which relate to and provide evidence of the above described criminal activity and further described in this affidavit;

- g. Photographs, audio/video recordings with their associated metadata relating to and which provide evidence of the above-described criminal activity and further described in this affidavit;
- h. Stored location information including global positioning system (GPS) data indicating coordinates, way points, tracks and locations in which the phone has traveled; and,
- i. Data and user records/information, password(s) that would assist in identifying/confirming the owner(s)/user(s) of the above referenced property to be searched.